



Fact Sheet

THE VICE PRESIDENT'S EFFORTS TO AVOID OVERSIGHT AND ACCOUNTABILITY

Rep. Henry A. Waxman

Chairman, Committee on Oversight and Government Reform

Since 2001, Vice President Cheney has made repeated efforts to shield the activities of his office from public scrutiny. These efforts include exempting his office from the presidential executive order governing the protection of classified information, challenging the right of the Government Accountability Office to examine the activities of the Vice President's energy task force, and refusing to disclose basic facts about the operations of his office, such as the identity of the staff working in his office and the individuals who visit the Vice President's residence.

Exempting the Office of the Vice President from the Executive Order on Classified National Security Information.

Over the objections of the National Archives, Vice President Cheney exempted his office from Executive Order 12958, which establishes a uniform, government-wide system for safeguarding classified information. In response to the protests of the National Archives, the staff of the Vice President proposed abolishing the office within the Archives that is in charge of implementing the executive order.¹

Blocking GAO Oversight. In 2001, Vice President Cheney headed a task force to develop a national energy policy. After GAO sought to learn the identity of the energy industry officials with whom the Vice President's task force met, Vice President Cheney sued the Comptroller General to prevent GAO from conducting oversight of his office.²

Concealing Privately-Funded Travel. Vice President Cheney has refused to comply with an executive branch ethics law requiring him and his employees to disclose travel paid for by special interests.³

Withholding Information about Vice Presidential Staff. Every four years, Congress prints the "Plum Book," listing the names and titles of all federal political appointees. In 2004, the Office of the Vice President, for the first time, refused to provide any information for inclusion in the book.⁴

Concealing Information about Visitors to the Vice President's Residence. The Vice President has asserted "exclusive control" over any documents created by the United States Secret Service regarding visitors to the Vice President's residence.⁵ This has the effect of preventing information about who is meeting with the Vice President from being disclosed to the public under the Freedom of Information Act.

Allowing Former Vice Presidents to Assert Privilege Over Documents. An Executive Order issued by President Bush in November 2001 provided the Vice President with the authority to conceal his activities long after he leaves office. Executive Order 13233 took the unprecedented step of authorizing former Vice Presidents to assert privilege over their own vice presidential records, preventing them from being released publicly.⁶

¹ Letter from Rep. Henry A. Waxman to Vice President Dick Cheney (June 21, 2007).

² GAO, *Energy Task Force: Process Used to Develop the National Energy Policy* at 22 (Aug. 2003) (GAO-03-894).

³ Letter from David S. Addington, Counsel to the Vice President, to Sandy Mabry, Acting Director, Office of Government Ethics (Jan. 13, 2004).

⁴ House Committee on Government Reform, *United States Government, Policy and Support Positions*, 108th Cong., 226 (Nov. 22, 2004).

⁵ Letter from Shannen W. Coffin, Counsel to the Vice President, to Don Personette, Chief Counsel, United States Secret Service (Sept. 13, 2006). The records of visits to the White House complex have similarly been defined as Presidential Records. See Memorandum of Understanding Between the White House Office of Records Management and the United States Secret Service Records Management Program Governing Records Generated by the White House Access Control System (May 17, 2006).

⁶ Executive Order 13233 (Nov. 1, 2001)